

Response under 37 C.F.R. § 1.111  
U.S. Appln. No. 09/935,573  
Attorney Docket No.: Q65540

### **REMARKS**

Claims 3-6 and 8-15 are all the pending claims.

#### **Preliminary Matter**

The Examiner has again failed to return the completely initialed form PTO-1449 submitted with the Information Disclosure Statement filed on December 5, 2001. Specifically, the Examiner did not initial the reference to Boyes, listed under "Other Documents". Applicant respectfully requests the Examiner to completely initial form PTO-1449. For the Examiner's convenience, a copy of the form PTO/SB/08 A& B listing only the un-initialed reference is enclosed.

#### **Claim Rejections under 35 U.S.C. § 103**

Claims 3-6 and 8-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,041,358 to Huang et al. (hereinafter "Huang") in view of U.S. Patent No. 6,654,355 to Marbach et al. (hereinafter "Marbach"). Applicant respectfully traverses this rejection in view of the following comments.

The present application claims priority from German Application No. 199 08 510.2 filed on February 26, 1999. The filing date of the newly found reference, Marbach, is December 14, 1999, which is after the priority date of the above-identified application. Accordingly, Applicant removes Marbach as a prior art reference by perfecting the foreign priority, *i.e.*, by filing a verified translation of the foreign priority document. It is respectfully submitted that the subject matter of claims 3-6 and 8-15 is fully supported by the foreign priority document. Therefore, Marbach is not a prior art reference with respect to the above-identified application. It is appropriate and necessary for the Examiner to withdraw this rejection of claims 3-6 and 8-15.

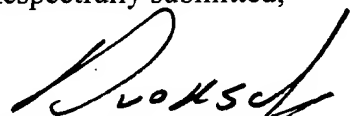
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Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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WASHINGTON OFFICE

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CUSTOMER NUMBER

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